

VAN BUREN LAW, PLLC

US EPA RECORDS CENTER REGION 5



426524

January 17, 2012

VIA EMAIL AND CERTIFIED MAIL

Ms. Michelle Kerr
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard, SR-6J
Chicago, Illinois 60604-3590

Mr. Thomas Martin
Associate Regional Counsel
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard, MW-14J
Chicago, Illinois 60604-3590

RE: General Notice and Information Request for the Chemetco Superfund
Site in Hartford, Illinois

Dear Ms. Kerr and Mr. Martin:

Van Buren Law, PLLC represents Elan Trading, Inc. Elan is in receipt of the General Notice Letter and Information Request dated November 30, 2011, from EPA.

Elan is presently reviewing its business records and preparing its response to the 104(e) Information Request that is due to EPA on February 3, 2012. Elan is using reasonable efforts to assemble and review historic business records in a timely fashion, but Elan has not yet completed its review. Further, Elan only received the nexus documentation from EPA discussed in the December 20, 2011 PRP conference call a few days ago. This nexus documentation must also be thoroughly reviewed by Elan.

Elan must be allowed a reasonable chance to review its files and the nexus documentation before it can make an informed decision about whether it has any connection or liability at the Chemetco Superfund Site. It is our understanding

that EPA has allowed other parties up to nine (9) months to prepare their responses to earlier 104(e) requests relating to the Chemetco Superfund Site. At this date, Elan believes it is premature to discuss participation in any negotiated order regarding the Chemetco Superfund Site. However, Elan will continue to evaluate its position throughout the review of the above records and nexus documentation.

Please call me with any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Carol Jones Van Buren", with a stylized flourish at the end.

Carol Jones Van Buren

CVJB:ph